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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,666	04/25/2000	Chol Su Kang	EXIO-001	9328

7590 10/02/2003

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EXAMINER

TRAN, THIEN D

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 10/02/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/557,666

Applicant(s)

KANG ET AL.

Examiner

Thien D Tran

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim1-30 are rejected under 35 U.S.C. 102(e) as being participated by Gernert et al (U.S Patent No. 6,600,734 B1).

Regarding claims 1, 10, 18, 20, 26, 30, Gernert discloses a in-office wireless code division multiple access, CDMA, communication system (col.2 lines 35-60), comprising:

a local area network, LAN (LAN is an Ethernet network), having an ethernet communication back-bone;

a plurality of CDMA wireless base stations coupled to said LAN communication back-bone, col.6 lines 40-45;

a wireless internet data base entry (server) coupled to said LAN communication back-bone, col.35-40;

a plurality of wireless communication devices 15 coupled to said CDMA wireless base stations via said LAN communication back-bone, figure 1;

a communication gateway coupled to said LAN communication back-bone, col.10 line 29; and

a router coupled to said LAN communication back-bone to enable said communication devices communicate to the internet. See col.10 lines 20-40, figure 1.

Regarding claim 2, 11, 25, 27, Gernert discloses that wireless base station includes a plurality of CDMA wireless modem modules for providing a communication link to external wireless communication devices to the in-office wireless communication system. See col.8 lines 15-20.

Regarding claims 3, 14, 17, Gernert discloses that wireless base station further includes a applications processing module for processing calls received and originated from said wireless base station. See col.7 lines 30-40.

Regarding claims 4, 19, 24, Gernert discloses call processing module formats call signals received by said wireless base station into data packets adaptable for the ethernet communication back-bone. See col.10 lines 30-50.

Regarding claims 5, 15, 23, Gernert discloses that wireless base station further includes an inter-networking processing module for providing a communication channel between the internet and a wireless communication unit coupled to said ethernet communication back-bone. See figure 3, col.9 lines 45-65.

Regarding claim 6, 22, Gernert discloses that wireless internet server includes a wireless mobility module for managing mobile units within the system. See col.10 lines 25-45.

Regarding claims 7, 21, Gernert discloses that wireless internet server provides real-time call processing. See col.11 lines 20-25.

Regarding claims 8, 16, 29, Gernert discloses that wireless internet server includes an integrated base station controller module and a mobile switch controller module for managing calls between communications units within the system. See col.9 lines 15-50.

Regarding claims 9, 13, Gernert discloses that wireless internet server includes call manger processing module for managing calls received and calls originated from the in-office wireless communication system. See col.12 lines 20-40.

Regarding claims 12, 28, Gernert discloses that wireless base station includes call selection modules for determining whether a call received or originated from the wireless base station is a voice call or a data call. See col.11 lines 35-60.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Warren et al (US Patent No. 5,912,921) discloses concurrent multiple data rate communication in a wireless local area network.

Hsu (US Patent No. 6,374,079 B1) discloses modular RF communication module for automated home and vehicle systems.

Gorsuch (US Pat. No. 6,526,034 B1) discloses dual mode subscribers unit for short range, high rate and long range, lower rate data communication.

4. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (703) 308-4388. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thien Tran



ALPUS H. HSU
PRIMARY EXAMINER